

REGULAR MEETING-MANSFIELD TOWN COUNCIL
September 28, 2009

Mayor Elizabeth Paterson called the regular meeting of the Mansfield Town Council to order at 7:30 p.m. in the Council Chambers of the Audrey P. Beck Building.

I. ROLL CALL

Present: Clouette, Duffy, Haddad, Koehn, Lindsey, Nesbitt, Paterson, Paulhus, Schaefer

II. APPROVAL OF MINUTES

Mr. Clouette moved and Mr. Paulhus seconded to approve the minutes of the September 14, 2009 minutes with one addition. Motion passed unanimously. Mr. Paulhus moved and Mr. Nesbitt seconded to approve the minutes of the August 24, 2009 Special Meeting. Motion passed with all in favor except Clouette, Duffy and Schaefer who abstained.

III. PUBLIC INFORMATION SESSION

1. Birch Road Bikeway, Phase II

Director of Public Works Lon Hultgren stated this project was designed in 2004 and is the last section needed to complete the Rte 44 to Hunting Lodge Road bikeway. Tim Veillette, Project Engineer, described the changes to the design, which allows the Town to complete the project using available stimulus money. Mr. Hultgren expects construction to begin in the spring.

IV. OPPORTUNITY FOR PUBLIC TO ADDRESS THE COUNCIL

Betty Wassmundt, Old Turnpike Road, addressed the Personnel Committee asking them to consider the suggestion to provide representation for non-union personnel.

Mike Sikoski, Wildwood Road, asked why the Town Council Agenda was not posted until today.

Elizabeth Cowles, Meadowwood Road, described the noise that occurred on September 19th as a result of large gatherings. Ms. Cowles contacted the State Police who were inundated with similar complaints. Noting the noise level and the number of cars parked

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in front of some of the offending residences, Ms. Cowles asked if the Town was actively enforcing relevant ordinances. She also expressed concern for local wells and the abundance of garbage in the area.

Ric Hossack, Middle Turnpike, has called the State Police after midnight and after 15 rings has been told that all the officers are at Carriage House. Mr. Hossack also again requested information as to the last time the police discharged a firearm in Mansfield.

V. TOWN MANAGER'S REPORT

Distributed, including a summary of the seminars and talks the Town Manager participated in at the International City Management Association (ICMA) conference. Attachment is the revised Town Manager's report.

Town Manager Matt Hart asked Town Council members how they would like to proceed with the next steps in the strategic planning process. After some discussion the members agreed by consensus to incorporate the goals and objectives of the Strategic Plan into the orientation session for the new Council with input from current Council members. Boards and Commissions will be asked to compile the information they have been working on for the orientation.

Council members discussed the Explanatory Text for the November 3, 2009 Referendum and the statutory limitations imposed on the Town's ability to provide additional information to the public. Staff relayed bond counsel's advice that only the text approved by their office and the Town's attorney be made available. The scheduled information session will allow citizens to ask questions of staff. Councilor Nesbitt also questioned the requirement for a Town Meeting since all the questions will be on the November ballot and the total amount of the request is more than the 1% of the annual Town budget needed to trigger a referendum. Staff stated that they were advised to follow this procedure by counsel to insure that if only the smaller projects were approved the requirement for a Town Meeting will have been met. The question as to the meaning of the word "aggregate" in Section § 407 of the Town Charter will be referred to bond counsel.

VI. OLD BUSINESS

2. Community/Campus Relations

The Town Manager announced a meeting with some of the smaller landlords, their tenants and Town and University staff will be held on Tuesday September 29th to discuss community expectations.

Mr. Paulhus moved and Ms. Duffy seconded to move Item 5, Presentation on Resident State Trooper Program & Enforcement of Town Ordinances, as the next item of business.
Motion passed unanimously.

By consensus the Council agreed to move Item 4, Open Space Analysis for November 2009 Bond Referendum, as the next item of business.

3. Community Water and Wastewater Issues

Ms. Koehn questioned whether or not the Four Corner Sewer Advisory Committee is overstepping their charge by including water usage issues in the scope of their information gathering and asked that Council members be updated on the Committee's work to date. Other members questioned the progress on the pending public health issue and the Town's potential liability. Mr. Nesbitt, Chair of the Advisory Committee, stated that DEP has told them that as long as the Town is making a good faith effort to address the problem the DEP will not issue any orders. He also briefly reviewed the progress and accomplishments of the Committee to date.

By consensus the Council requested that at the next meeting the Four Corners Sewer Advisory Committee update the Council regarding all accumulated information, minutes, reports and presentations.

Ms. Koehn requested a review of the charge of the Committee be a future agenda item.

4. Open Space Analysis for November 2009 Bond Referendum

Director of Parks and Recreation Curt Vincente, Parks Coordinator Jennifer Kaufmann, and Open Space Committee members Steve Lowrey and Jim Morrow (Chair) were available to answer Council members' questions. The Council discussed whether or not the definition of open space should include active recreation and suggested clarification in the statement following the first question. Mr. Nesbitt requested more specific information be provided for the public regarding the best use of the parcels and why the language has been changed to include improvements. Mr. Haddad asked that the Capital Improvement Program wish list be included to show what additional projects this bond funding could be used for in the

future. He suggested an ordinance might be in order that would identify the portion of money to be used for passive recreation and that to be used for improvements. The Town Manager will check to see if the money from the Open Space Fund is appropriated whether or not specific projects will need to be itemized. The members of the Open Space Committee stated even with the change in the authorizing language they see no changes in the role or the charge to the committee. Mr. Vincente noted that when "other municipal uses" was added in 1990 the Council had expressed similar concerns, but that the Town has had a proven history of preserving open space. Mr. Clouette summarized the discussion noting that all agree the purchase of open space and the direct enhancements (parking lots, bridges, etc.) is a proper use of the bonding. There is less agreement on the purchase of open space for more active recreation and even less agreement on the use of the money for the building of concession stands and other recreational improvements. Any spending will need to be approved by the Town Council and the voters.

Additional information including management plans, debt schedules, inventories and the CIP list will be available at the October 26th Informational Session. Ms. Koehn requested the regulations governing Town Council provided information prior to a referendum be available.

VII. NEW BUSINESS

5. Presentation of Resident State Trooper Program & Enforcement of Town Ordinances

Sgt. James Kodzis, joined by Lt. Conroy, State Troopers Cloutier, Hickey and Mainiero and Mansfield Constable Bigl, presented an overview of the Mansfield Resident Trooper Program. Sgt. Kodzis offered call statistics for times when UConn is in session and not in session as well as departmental plans for addressing infractions. He noted that there has been a 25% increase in the number of calls this year but that DWI, injury reports and motor vehicle accident reports are down. Sgt. Kodzis also compared the size of the Town's Police Department with comparable university towns. Council members questioned and discussed with the panel the effectiveness of noise monitors in party situations, the inadequacy of current coverage, the enforcement of Town ordinances as a tool and the good working relationship with the University Police

Department. Sergeant Kodiz will provide his presentation for inclusion in the next packet.

Town Manager Matt Hart announced that the Regionalization Committee recently authorized the retention of a third party expert to look at all public safety services.

The Town Manager stated that other staff members involved in the enforcement of Town ordinances would be available for questions at future Town Council meetings.

6. WPCA, Sewer Service Area Map

Mr. Paulhus left at 10:30 p.m.

Mr. Haddad moved to recess as the Town Council and convene as the Water Pollution Control Authority. Seconded by Ms. Koehn the motion passed.

Mr. Haddad moved and Mr. Clouette seconded, effective September 28, 2009, to refer the proposed Mansfield sewer service area map to the Planning and Zoning Commission for review and comment.

Motion passed unanimously.

Mr. Haddad moved and Ms. Lindsey seconded to adjourn as the Water Pollution Control Authority and reconvene as the Town Council.

Motion passed unanimously.

7. Mansfield Community Center Fee Recommendations

Mr. Haddad moved and Ms. Lindsey seconded, effective November 1, 2009, to adopt the Mansfield Community Center Fee Schedule, as presented by staff and endorsed by the Recreation Advisory Committee.

Finance Committee Chair Bruce Clouette relayed that although the Finance Committee reviewed the proposed fee structure they did not make a recommendation.

Motion to approve passed unanimously.

Ms. Koehn requested a copy of the pool analysis that was previously distributed.

8. Emergency Management Performance Grant

Mr. Haddad moved and Mr. Schaefer seconded to approve the following resolution:

RESOLVED: That the Town Manager, Matthew W. Hart, is hereby authorized to act on the behalf of the Town of Mansfield in ACCEPTANCE OF EMPG PROGRAM CONDITIONS OF ELIFIBILITY & BUDGET ESTIMATE FOR FFY 2010 (10/1/09- 9/30 10) and continuing the Memorandum of Understanding with the State of Connecticut, Department of Emergency Management and Homeland Security, for participation in the FY 2009 Emergency Management Performance Grant program.

Ms. Lindsey requested an explanation of the “commitment... to increase operational capability through the funding of personnel and administrative expenses.” Fire Marshal John Jackman explained that there is no requirement to hire additional personnel but only to continue to improve the Town’s program.

Motion passed unanimously.

9. Proposed Revisions to Mansfield Parking Fines

Mr. Haddad moved and Mr. Clouette seconded, to adopt the revised Parking Violation and Fee Schedule (Mansfield Code of Ordinances, Chapter A198, Traffic Regulations), which schedule shall be effective October 1, 2009.

A friendly amendment moved the implementation date to December 1, 2009 in order to allow more time.

Motion, as amended, approved by all.

10. Financial Statements for Dated June 30, 2009

Mr. Schaefer moved and Mr. Haddad seconded, effective September 28, 2009, to accept the Financial Statements dated June 30, 2009.

Director of Finance Cherie Trahan briefly summarized this year-end report noting that due to the efforts of the Tax Collector’s office and the reduction in expenditures by staff the Town was able to add \$31,000 to the fund balance.

Motion passed unanimously.

Mayor Paterson thanked all responsible including the Town staff, the Finance Department and the Town Manager for recognizing the problem early in the process and addressing the issue.

11. Legal Budget Transfer – FY 2008/09

Mr. Clouette, Chair of the Finance Committee, moved adoption of the following resolution:

Resolved, effective September 28, 2009, to adopt the Legal Budget Transfers for FY 2008/09, as presented by the Director of Finance in her correspondence dated September 16, 2009.

Motion passed unanimously.

VIII. QUARTERLY REPORTS

No comments

IX. DEPARTMENTAL AND COMMITTEE REPORTS

No reports

X. REPORTS OF COUNCIL COMMITTEES

Ms. Duffy, Chair of the Committee on Committees made the following Committee recommendations:

Terry Cook to the Recreation Advisory Committee

Edward Wazer to the Agricultural Committee

Terry Berthelot and Vicki Fry to the Mansfield Advocates for Children

William Simpson (business), Phil Barry (citizen) and A.J. Pappanikou (citizen) to the University Town Relations Board

Michael Taylor and Dennison Nash to the Transportation Advisory Committee

Isabelle Atwood and Patricia Maines to the Beautification Committee

Motion to approve the recommendations passed.

Ms. Duffy also thanked Mr. Clouette for his letter to the editor thanking all of those who volunteer for Mansfield's boards and commissions.

Mr. Haddad, Chair of the Personnel Committee, reported the Committee is nearing the end of its review of comp time and will make a recommendation to the full Council in the near future. He also noted that they will be looking at other personnel policies and reminded

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members of the executive session regarding the Town Manager's evaluation on Thursday at 6:00 p.m.

Mr. Nesbitt noted the Four Corners Advisory Committee would be meeting September 30th at 7:00 p.m.

XI. REPORTS OF COUNCIL MEMBERS

Mr. Clouette announced that he and Mr. Paulhus were present for the ribbon cutting ceremony for the new skate park. Mr. Paulhus cut the ribbon.

In response to a question by Mr. Nesbitt, the Director of Parks and Recreation commented that based on advice from our insurance broker the skate park is a non-staffed event with posted rules. Ms. Koehn requested information on how much it would cost to supervise the park to insure compliance with the rules. That information is available and will be provided.

XII. PETITIONS, REQUEST AND COMMUNICATIONS

12. Explanatory Text, November 3, 2009 Referendum
13. Freedom of Information Policy
14. Chronicle "Celebrating a real 'Our Town'" - 09/14/09
15. Chronicle "Community Voices: Citizen action needed." -
09/16/09
16. Chronicle "Council OK's skate park signs" - 09/15/09
17. Chronicle "Editorial: We offer these threads, needles" -
09/21/09
18. Chronicle "Letter to the Editor" - 09/09/09
19. Chronicle "Letter to the Editor" - 09/16/09
20. Chronicle "Letter to the Editor" - 09/18/09
21. Chronicle "Mansfield readies for festival events." - 09/10/09
22. Chronicle "Mansfield will reap \$400,000 budget bonus" -
09/14/09
23. Chronicle "New committee to mull Storrs parking garages" -
09/17/09
24. Chronicle "Officials: Spring Weekend report needs work" -
09/12/09

25. Chronicle "Pipin' hot" - 09/10/09
26. Chronicle "UConn student partied over weekend" - 09/10/09
27. Mansfield Today "\$1 million in open space bonding goes back." - 09/13/09
28. Mansfield Today "Celebrate Mansfield Weekend." - 09/11/09
29. Mansfield Today "Fourth business commits to Storrs Center" - 09/10/09
30. Mansfield Today "Mansfield opens new skate park" - 09/11/09
31. Mansfield Today "Mansfield spared governor's veto" - 09/14/09
32. Mansfield Today "Mansfield will use funds for bicycles." - 09/13/09
33. Mansfield Today "New \$200,000 grant for Storrs Center." - 09/20/09
34. Mansfield Today "Signs will help raise funds for skateboard park" - 09/15/09

XIII. OPPORTUNITY FOR PUBLIC TO ADDRESS THE COUNCIL

Ric Hossack, Middle Turnpike, reported the last firearm discharge in Town was in 1984. He requested the implementation of a process to deal with citizen questions.

XIII. FUTURE AGENDAS

Mr. Nesbitt requested revisiting the issuance of a RFP for a Town Attorney as Mr. O'Brien might be appointed Probate Judge. Mr. Haddad commented that the appointment at this time was speculative and any change would not be until 2010.

As previously noted, Ms. Koehn would like to discuss the charge of the Four Corners Sewer Advisory Committee after presentation of the report scheduled for the next meeting.

Mr. Haddad moved and Mr. Clouette seconded to recess the meeting and move into Executive Session.

Motion approved unanimously.

XIV. EXECUTIVE SESSION

Strategy or Negotiations with Respect to Collective Bargaining –
CGS§1-200(2)

Present: Clouette, Duffy, Haddad, Koehn, Lindsey, Nesbitt, Paterson, r

Also included: Town Manager Matt Hart, Assistant to the Town
Manager Maria Capriola and Fire Chief David Dagon

Review and discussion of commercial and financial information
provided in confidence by Storrs Center Alliance 0 CGS §§ 1-200(6),
1-201(b)(5)(B)

Present: Clouette, Duffy, Haddad, Koehn, Lindsey, Nesbitt, Paterson,

Also included: Town Manager Matt Hart

XV. ADJOURNMENT

The Council reconvened in public session.

Ms. Duffy moved and Mr. Haddad seconded to adjourn the meeting.

Motion to adjourn passed unanimously.

Elizabeth Paterson, Mayor
Clerk

Mary Stanton, Town

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